

Amendment No. 1 to HB1523

DeBerry J
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1949

House Bill No. 1523*

by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 2, Part 3, is amended by inserting the following as a new, appropriately designated section thereto:

(a) Notwithstanding anything in this part to the contrary, and except as provided in subsection (b), any person may petition a court to disestablish parentage of that person's legal child at any time. Such petition shall be filed in a court having jurisdiction of actions to establish parentage pursuant to this part, and service of process and the conduct of the trial of such petition shall be consistent with the procedures established for actions to establish parentage pursuant to this part. Except as provided in subsection (b), a petition to disestablish parentage may be filed regardless of whether parentage was established by presumption of parentage pursuant to §36-2-304 or by any other means. The court shall enter an order disestablishing parentage pursuant to this section only if genetic tests have been administered pursuant to §24-7-112 and the petitioner is found to have been excluded as the biological father of the child. Upon the filing of an order disestablishing parentage, any child support order issued pursuant to §36-5-101 that requires the petitioner to provide support for the child shall be terminated by the court having jurisdiction of that order.

(b) A person may not petition a court to disestablish parentage pursuant to this section if:

(1) The person adopted the child pursuant to the provisions of title 36, chapter 1;

(2) The person entered into a voluntary acknowledgement of paternity of the child pursuant to §24-7-113, in which case the relationship

between the person and the child is governed by the requirements of that section; or

(3) The person had actual knowledge that the child was not the person's biological child at the time a child support order was issued pursuant to §36-5-101.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.